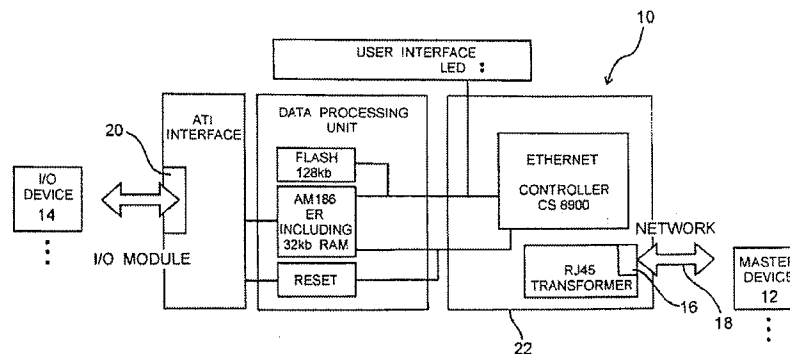


REMARKS

1. Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 1-4, 6-20, 22-27, and 29-38 under 35 U.S.C. § 103(a) as being obvious over Swales in view of Montijo. The Applicants respectfully traverse the rejection. For the sake of brevity, the rejections of the independent claims are discussed in detail on the understanding that the dependent claims are also patentably distinct over the prior art, as they depend directly from their respective independent claims. Nevertheless, the dependent claims include additional features that, in combination with those of the independent claims, provide further, separate and independent bases for patentability.

Claim 1 recites the following element, not disclosed or rendered obvious by Swales: “wherein the device controller interfaces between the plurality of peripheral devices and the non-true real time computer.” The Examiner asserted that Swales’s FIG. 3 element 10, located between elements 12 & 14, discloses this claim element. In contrast to the claimed device controller that interfaces between the plurality of peripheral devices, Swales’s adapter 10 connects via connector 20 to only a single I/O device 14 (Swales 4:5-12 and FIG. 3, below).



According to Swales’s “Summary of the Invention,” the disclosed adapter 10 of the “present invention” includes merely one connector 20 connected to a single I/O device 14 in an industrial automation environment (Swales, 1:21-28, 1:55-2:1, and 11:19-24). In fact, Swales teaches away from designing an adapter with multiple connectors 20. Industrial automation assembly lines are typically large in size. Considering safety and ergonomics, automated assembly lines would be arranged to enable an operator to walk between adjacent assembly lines

and perform routine maintenance. Additionally, various utility lines would be routed to the assembly lines from overhead and not draped along the floor. "When the prior art teaches away from combining certain known elements, discovery of successful means of combining them is more likely to be nonobvious."¹ See also M.P.E.P. 2144.05 entitled, Rebuttal Of Prima Facie Case Of Obviousness (stating that "a prima facie case of obviousness may also be rebutted by showing that the art, in any material respect, teaches away from the claimed invention"). Therefore, the Swales reference provides no incentive to one of ordinary skill in the art to add additional connectors 20 to Swales's adapter 10, at least because one would want to avoid simple industrial hazards and related liabilities.

Montijo discloses nothing to overcome the shortcomings of Swales. As such, the Applicants respectfully submit that claim 1 is not obvious over Swales in view of Montijo at least because neither Swales nor Montijo, on their own, or in combination, disclose, teach or suggest each and every element of claim 1 and because Swales teaches away from the elements of claim 1.

The Applicants respectfully submit that independent claims 12, 19, and 24 include similar elements which Swales teaches away from and which are not taught or suggested by Swales or Montijo, on their own, or in combination with regard to claim 1 and are therefore not obvious over Swales in view of Montijo. Therefore, the Applicants respectfully request that the Examiner withdraw the rejection for claims 1-4, 6-20, 22-27, and 29-38.

2. Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 5, 21, and 28 under 35 U.S.C. § 103(a) as being obvious over Swales in view of Montijo, and further in view of Evoy. The Applicants respectfully traverse the rejection.

The Applicants note that claims 5, 21, and 28 depend from claims 1, 19, and 24, respectively. In light of the arguments submitted in Section 1 of this response, the Applicants respectfully submit that claims 5, 21, and 28 are not obvious in view of the combination of Swales and Montijo because these references, alone or in combination, fail to teach or suggest all

¹ *KSR Int'l Co. v. Teleflex Inc.*, 82 USPQ2d 1385, 1395 (2007).

the claimed elements and because Swales teaches away from the elements of the independent claims. Evoy discloses nothing to overcome the shortcomings of Swales and Montijo. Therefore, the Applicants respectfully submit that claims 5, 21, and 28 are not obvious over Swales in view of Montijo, and further in view of Evoy.

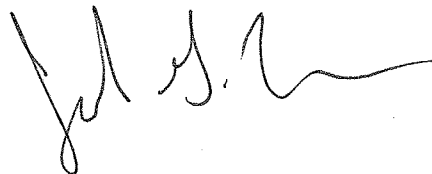
CONCLUSION

The Applicants have made an earnest and *bona fide* effort to clarify the issues before the Examiner and to place this case in condition for allowance. Reconsideration and allowance of all of claims 1-38 are believed to be in order, and a timely Notice of Allowance to this effect is respectfully requested.

The Commissioner is hereby authorized to charge the fees indicated in the Fee Transmittal, any additional fee(s) or underpayment of fee(s) under 37 C.F.R. §§ 1.16 and 1.17, or to credit any overpayments, to Deposit Account No. 194293, Deposit Account Name Steptoe & Johnson llp.

Should the Examiner have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 734-3200. The undersigned attorney can normally be reached Monday through Friday from about 9:00 AM to 6:00 PM Pacific Time.

Respectfully submitted,



Date: October 17, 2007

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